

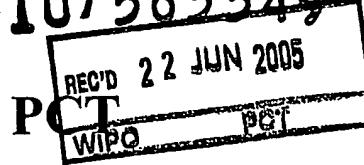
Rec'd PCT/PTO 03 JAN 2006

PATENT COOPERATION TREATY

10/563349

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
ROBERT W. PITTS
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

| | | | |
|---|---|---|-------------|
| | | Date of mailing (day/month/year) | 20 JUN 2005 |
| Applicant's or agent's file reference 04013 | | FOR FURTHER ACTION See paragraph 2 below | |
| International application No. PCT/US04/19042 | International filing date (day/month/year) 14 June 2004 (14.06.2004) | Priority date (day/month/year) 03 July 2003 (03.07.2003) | |
| International Patent Classification (IPC) or both national classification and IPC IPC(7): B63B 21/04 and US CL.: 114/253 | | | |
| Applicant ADVANCED MARINE SUPPORT TECHNOLOGY, INC. | | | |

1. This opinion contains indications relating to the following items:

| | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

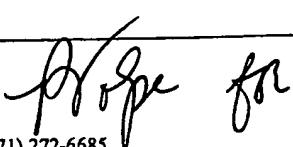
2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

| | |
|---|--|
| Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703)305-3230 | Authorized officer Lars Olson Telephone No. (571) 272-6685  |
|---|--|

Form PCT/ISA/237 (cover sheet) (January 2004)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/19042

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

a sequence listing
 table(s) related to the sequence listing

b. format of material

in written format
 in computer readable form

c. time of filing/furnishing

contained in international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.

3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US04/19042

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N) Claims 1-25, 29, 30, 32-34 YES
Claims 26-28, 31, 35-37 NO

Inventive step (IS) **Claims 1-25, 29,30,32-34** **YES**
Claims 26-28,31,35-37 **NO**

Industrial applicability (IA) Claims 1-37 YES
Claims NONE NO

2. Citations and explanations:

Claims 26-28, 31 and 35-37 lack novelty under PCT Article 33(2) as being anticipated by Axelsson (US 6,178,914). Axelsson discloses the same marine handling craft as claimed, as shown in Figures 1-8, that is useable with a primary platform or ship, and is deployable so as to capture an object or supply vessel, where said marine handling craft is tethered to said ship and attachable to said ship, and said supply vessel can be mated and docked with said marine handling craft.

Claims 1-25, 29, 30 and 32-34 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the use of a marine handling craft that includes a track that extends above a compartment into which a marine payload can enter, and at least one attachment block that is capable of traveling along said track and is attachable to a tether.

WRITTEN OPINION OF THE
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International application No.

PCT/US04/19042

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

Claim 27 is presented in dependent form, depending from claim 701, when it should depend from claim 26.